

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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SHAWN C. CARTER

Case No. 10-CIV-0854

Plaintiff,

-against-

HIGHLAND CAPITAL MANAGEMENT, L.P.  
and NEXBANK, SSB

Defendants,

-----X  
STATE OF TEXAS )

COUNTY OF DALLAS )


Lee H. Russell, being duly sworn, deposes and says that he is an agent of CPS Companies, is over the age of eighteen years and not a party to the action.

That on the 4th day of February 2010, at approximately 10:10 a.m., deponent served a true copy of the Summons and Complaint upon NexBank, SSB at 13455 Noel Rd., Dallas, Texas 75240 by personally delivering and leaving the same with Matt Beshears, who holds the position of Senior Vice President and who is authorized to accept service.

Matt Beshears is a White male approximately 40-45 years of age, with brown hair, approximately 6 feet 4 inches, approximately 200 pounds and wears glasses.

Sworn to before me this  
4th day of February 2010

  
NOTARY PUBLIC, STATE OF TEXAS

  
Lee H. Russell  
Process Server SCH 1081

